REMARKS

Section 112 Rejection

Claims 16, 17 and 18 were rejected for failure to provide antecedent for "email message". The word "message" has been inserted into the claim after "email" in line 3 of each of these claims to provide the proper antecedent for "email message" later on in the claims. The rejection should be withdrawn.

Obviousness Rejection

Claims 1-33 are rejected as obvious over Ju et al. U.S. 7,146,320 in view of McKnight, U.S. 7,146,320 and further in view of Atkin, et al., U.S. 2007/0276667. The rejection should be withdrawn in view of the following remarks.

Claim 1

In claim 1, tags are inserted into the email which separate content from one source or sender ("first source") from the content of another source or sender ("second source"). The tags are detected (e.g., in a voice command platform that features a text to speech engine for rendering email as speech) and the content from the first source is rendered in a first voice mode (e.g., with a man's voice) and content from the second source is rendered in a second voice mode (e.g., with a woman's voice). The feature of the tags and rendering content from different sources or senders in different voice modes helps the email recipient understand the breaks in the email between senders and distinguish for example an original email from a reply.[1]

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[1] The term "content . . . provided by a first source" and "content . . . provided by a second source" is understood from the applicants' specification as referring to email content, such as text, which originates

Ju describes a feature wherein a user of a telephone may respond to an email by means of speech. In the Ju system, the e-mail from the sender is rendered as speech, but *there is no email content from a second source/sender (i.e., an email from another party) which is also rendered in speech, as required by claim 1.* In the passage at columns 5 and 6 of Ju, the tags <questions> and <answers> do not delimit email content from different senders. The recipient of the email only hears content from one source—the question that is presented ("are you able to come home for dinner?"). They have not even answered the question yet. When they do provide the answer, via speech, the speech is converted to text and the original sender receives *a text email message* containing their original question, and the answer. See col. 7 lines 7-9.

Furthermore, even if the proposed answer structure (yes, no, maybe) could arguably constitute "second content in said email provided by a second source", and applicants submit that it does not fall within the scope of that term, the system of Ju does not provide a system for supporting two different voice modes, as recited in claim 1, or rendering the question in one voice mode and the proposed answer structure in a second voice mode.

The Examiner concedes that Ju does not disclose inserting a tag into the email. The Examiner cites to McKnight. While McKnight inserts a tag into email, the only purpose of such tag described in McKnight is to prevent the email from being distributed outside of a company's computer network. (see Abstract, paragraph 25, paragraphs 8-9). The tag serves as a flag that indicates to network routers, firewalls and email servers that

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from a person or entity which generates and sends an email. It can refer to an original email, or a reply to an email, or a reply to a reply, etc.

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they are to treat the entire email as company-only, and not to forward it to anyone that is outside of the company.

The tag of McKnight does not meet the requirements of claim 1, for several reasons.

- Claim 1 recites "inserting a tag into the email, wherein said tag separates a first content in said email provided by a first source from a second content in said email provided by a second source;" In McKnight, the entire email is tagged; the tag does not separate content from a first source from content of a second source.

- Claim 1 recites detecting the tag and then "wherein when said email is rendered as speech, said first content is rendered in a first voice mode and wherein said second content is rendered in a second voice mode, with the second voice mode being different from the first voice mode". This is not contemplated in McKnight. McKnight uses tags as a flag to dictate permissible recipients of an email, not separating content from sources and using the flag to render content from one source in one voice mode and content from another source in a second voice mode.

At most, when McKnight's "company-only" email teaching is combined with Ju, it would suggest only that company only email may be rendered as speech and responded with speech as described in the Ju reference. McKnight in combination with Ju do not suggest in the slightest using the tags for a completely different purpose, namely to separate content from different sources and then rending such content in different voice modes.

Atkin does not suggest that either Ju or McKnight should use tags and render email as speech in the manner recited in claim 1 whatsoever.

In particular, Atkin is silent on the concept of rendering emails as voice. Atkin's disclosure is directed to the different fields of rendering of Internet web page content as voice, and rendering content from a text file from a storage device such as a diskette, using semantic analysis and different voice modes. See Aktin, paragraphs 5, 9. Aktin does not suggest that its teachings are applicable to the subject matter of rendering email content, or suggest that tags could be inserted into email for this purpose.

Furthermore, a person skilled in the art would not look to Aktin for teachings applicable to the system of Ju (or Ju as modified by McKnight) since Ju and McKnight do not recognize the problem that is solved by this invention – the rendering of email content from different sources in a manner that highlights the content from different senders. Neither Ju nor Aktin recognize that when rendering email content as speech, including content which includes content from different senders, there is a need to separate such content with tags and use such tags to render content from different senders in different voice modes. Ju is completely silent on the concept of rendering content in different voice modes. Ju is directed to a method for enabling a person to reply to a voice mail with speech, and is fundamentally directed to the problem of enabling replies to email as speech, and is not concerned or even aware of the issues that can arise just be rendering email content as speech, let alone generating a voice response.

Accordingly, it cannot be maintained that modification of Ju and McKnight in view of Atkins in the manner recited by claim 1 would have been obvious to a person skilled in the art.

Claim 2

Claim 2 states that the second content comprises a reply email message to the original email message, this second content is rendered as speech in a different voice mode per claim 1. In rejecting this claim the Examiner cites to col. 6 lines 12-26 of Ju. This passage does not support the rejection. In Ju, the reference is stating very general terms how the user can access his email messages via a telephone via a phone network and phone interface 150. It says nothing about rendering a reply email message to an original email message in a second voice mode. It simply says that text portion of an email is interpreted by a text to speech converter to generate an audio signal that is sent through a phone network. The reference does not suggest rendering different types of content in different voice modes.

Claim 5

Claim 5 is similar to claim 1 and describes a method which requires identifying an original email message and a reply message, rendering the original email in one voice mode and the reply message in a different voice mode. The remarks for claims 1 and 2 are applicable to the rejection of claim 5 and incorporated by reference here.

Claim 6

As to claim 6, this claim requires processing the email to identify content from a third source, and rendering the content in a third voice mode different from the first and second voice modes. The Examiner's analysis of claim 6 is limited to the subject matter

of the original content and the reply, and does not address the additional subject matter of claim 6. Furthermore, the passage at col. 6 lines 12-26 makes no mention of either (a) identifying in an email message content from a third source or sender, or (b) rendering such content in a third voice mode. The passage is a very general description of how a phone connects to a network to receive email as speech. The Examiner has not established *prima facie* that claim 6 is obvious.

Claim 8

Claim 8 depends from claim 5 and further adds that the method also include steps of "(1) processing said email message to detect at least one of the following: a) a signature block to either said original email message or said reply message, b) a privacy notice, or c) a confidentiality notice; and (2) not rendering at least one of said detected signature block, confidentiality notice or privacy notice as speech."

The rejection of claim 8 is not well founded. The Examiner lumps claim 8 into the group of claims including claims 4, 22, 26 and 31. The Examiner cites to Ju, col. 6 lines 27-54). These passages are directed to the language model _for proposed answers_ that the user can accept to respond to the email, and where it may reside or be retrieved from, and have nothing to do with what is claimed in claim 8. The Examiner does not attempt to find any teaching in either Ju or Aktin that an email server processes email to detect a signature block, confidentiality notice or privacy notice and then is able to not render such detected block or notice. These references do not disclose this invention of claim 8.

The Examiner states in rejection claims 11 and 12 that it is well known that a signature block and privacy and confidentiality notices in email are not converted to

speech. The applicants dispute this. The Examiner is required to come up with a citation to a reference that teaches this subject matter. The Examiner can only rely on official notice of a fact being "well known prior art" when the facts asserted as being known are "capable of instant and unquestionable demonstration as to defy dispute." MPEP 2144.03, section A (citing case law). Furthermore, if official notice is taken, the technical line of reasoning underlying a decision must be clear and unmistakable. Id., section B. So such line or reasoning has been set forth. If the applicant challenges it, as here, the Examiner must support the finding with adequate evidence. Id., Section C.

Claim 9

Claim 9 depends from claim 5 and states "wherein said reply message comprises a voice memo in response to a specific portion of said original email message, and wherein the method further comprises the step of processing said email message to detect a tag associated with said voice memo, and responsively rendering said voice memo as speech." In rejection of claim 9, the Examiner has cited to Ju at col. 6 lines 27-54. This passage says nothing about detection of a tag associated with a voice memo in a reply email or rendering this voice memo as speech. The passage cited by the Examiner is directed to providing a language model to a speech recognition module (step 164 of Figure 3). The reference states in this passage several possible options for providing the language model, and notes that it could originate at the sender's computer, at the email server or at a remote server. This passage says nothing about detection, within a reply message, of a voice memo. The rejection is not sound.

Claim 10 depends from claim 9 recites that the tap detected in claim 9 is a pointer to an object comprising the voice memo. This subject matter is also not found at all in Ju at col. 6 lines 27-54.

Claims 11, 12, 13, 14 and 15

The remarks for claim 8 apply to claims 11-14. The Examiner is required to furnish a citation of a teaching in Ju, McKnight or Atkin of the claimed subject matter and has failed to do so.

Claim 16

Claim 16 is in Jepson form and describes an improvement to an email server in the form of a machine readable storage medium storing instructions for parsing an email to detect email content and signature blocks, and inserting a tag in the email message that separates email content from the signature block. Nothing of the sort is described in either Ju, McKnight or Atkin. It is interesting to note that Ju, which is directed to rendering of email as speech, is completely silent on the issue of signature blocks and confidentiality notices and the like that may be present in email, and does not state that such portions of an email are not rendered to the reciptient. The Examiner resorts to handwaving, saying that it is known to not convert a signature block to speech. The Examiner is required to cite to an email server that includes instructions that both parses an email to detect email content and a signature block, and instructions to insert a tag into the email that separates the email content from the signature block. Applicants dispute that such a server is unquestionably known. See the response to claim 8, supra.

Claim 17

Claim 17 is in Jepson form and is directed to an improved email server which includes instructions for parsing an email to detect content from a first source (e.g., original email author) and second source (recipient of the original email), and instructions inserting a tag in the email message that separates the email content from the first source from the email content of the second source. As explained in the specification an email with these tags can be used by the voice command platform to render the content from the first source in one voice mode (accent, pitch, gender, etc.) and the content from the second source in a different voice mode. The remarks for claim 1 are incorporated by reference here. Ju, McKnight and Atkin are silent on parsing email as claimed or inserting tags to delineate email content from different sources.

Claim 18

Claim 18 is similar to claim 17 but instead of inserting tags to distinguish between content from different sources the email server includes instructions to insert tags that separate content from confidentiality and/or privacy notices. The remarks for claims 12 and 13 are incorporated by reference here. Ju, McKnight and Atkin fail to suggest a method of parsing email and inserting tags as recited in claim 18 to distinguish between email content and privacy and/or confidentiality notices.

Claim 19

Independent Claim 19 is directed to a method of allowing a recipient of an email message to respond via voice, and involves receiving a signal from a recipient indicating that the recipient intends to respond to the email message by inserting a voice memo at a particular location in the email message. The signal is received while the email is being rendered as speech. The Examiner has not cited to anything in Ju, McKnight or Atkin that discloses this feature. See the response to the rejection of claim 1, which is reincorporated here.

In Ju, the recipient of the original email indicates their response to the email via speech, and their response is not rendered to the original source as speech (as required by claim 19). Rather, the original source receives a text email. Ju, col. 7 lines 6-8.

Claim 20

Claim 20 depends from claim 19 and states that the recipient provides a signal in the form of a DTMF tone (touch tone) to indicate that the recipient intends to respond to the email message by inserting a voice memo at a particular location in the email message. The Examiner has not cited to a teaching in any of the references applicable to claim 20. The Examiner lumps claim 20 into other claims 2, 6 and 33 and cites to col. 6 lines 12-26 of Ju. In this passage, the reference is describing steps that occur to transmit the original email to the recipient, not steps that the recipient takes to indicate they want to insert a voice memo. The passage is also silent on voice memos, insertion of voice memos at a particular point in an email, and also the use of a DTMF tone to indicate the intention to insert a voice memo. The rejection of claim 20 is not well founded.

The rejection of dependent claims 21-33 should be withdrawn in view of the above remarks to the applicable independent claims or related dependent claims.
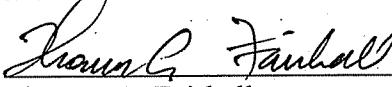
Favorable reconsideration of the application is requested.

Respectfully submitted.

McDonnell Boehnen Hulbert & Berghoff LLP

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By: _Thomas A. Fairhall_

Thomas A. Fairhall
Reg. No. 34591